

MAR 13 2006

FACSIMILE TRANSMITTAL FORM		Application Number	10/723511
		Filing Date	November 26, 2003
		First Named Inventor	Eberman, Kevin W.
		Art Unit	1754
		Examiner Name	T. Vanoy
Fax: 571-273-8300	Attorney Docket Number	58581US002	
Total Number of Pages in This Submission: 3			
Date: March 13, 2006	Attorney for Applicant: Lucy C. Weiss		

ENCLOSURES (check all that apply)			
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<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)		<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Information Disclosure Statement		<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosures: Response to Restriction Requirement
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32692
Customer NumberPatent
Case No.: 58581US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: EBERMAN, KEVIN W.
 Application No.: 10/723511 Group Art Unit: 1754
 Filed: November 26, 2003 Examiner: T. Vanoy
 Title: SOLID STATE SYNTHESIS OF LITHIUM ION BATTERY CATHODE MATERIAL

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

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Date	Signed by Lydia M. Cahill

Dear Sir:

This is in response to the Office Action mailed February 14, 2006.

Remarks

Claims 1-21 are pending.

Restriction Requirement

Restriction to one of the following groups of claims was required under 35 U.S.C.

Section 121:

Group I: Claims 1-14, 18, and 19, said to be drawn to lithium compositions and a method for making the same, classified in Class 423, subclass 593.1+.

Group II: Claims 15-17, 20, and 21, said to be drawn to a battery and a method for making the same, classified in Class 429, subclass 223+.

Applicants hereby provisionally elect the Group I claims with traverse. Applicants respectfully submit that the Restriction Requirement is improper for the following reasons.